



**TO:** Kim Lundy Service Of Process  
Walmart Inc.  
702 SW 8TH ST  
BENTONVILLE, AR 72716-6209

**RE:** **Process Served in Illinois**

**FOR:** WALMART INC. (Domestic State: DE)

**Service of Process**

**Transmittal**

05/05/2021

CT Log Number 539504872

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Barnard Rebecca, Pltf. vs. Walmart Inc., Dft.

**DOCUMENT(S) SERVED:** Summons, Attachment(s), Complaint

**COURT/AGENCY:** Saline County - 1st Judicial Circuit Court, IL  
Case # 21L15

**NATURE OF ACTION:** Personal Injury - Slip/Trip and Fall - 12/17/2020 - Walmart Supercenter #237, 710 S. Commercial Street, Harrisburg, Saline County, Illinois

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Chicago, IL

**DATE AND HOUR OF SERVICE:** By Process Server on 05/05/2021 at 02:09

**JURISDICTION SERVED :** Illinois

**APPEARANCE OR ANSWER DUE:** Within 30 days after service of this Summons, not counting the day of service

**ATTORNEY(S) / SENDER(S):** Kelly R. Phelps  
Jelliffe, Doerge & Phelps  
108 East Walnut Street  
P.O. Box 406  
Harrisburg, IL 62946  
618-253-7153

**ACTION ITEMS:** CT has retained the current log, Retain Date: 05/06/2021, Expected Purge Date: 05/11/2021  
  
Image SOP  
  
Email Notification, Kim Lundy Service Of Process [ctlawsuits@walmartlegal.com](mailto:ctlawsuits@walmartlegal.com)

**REGISTERED AGENT ADDRESS:** C T Corporation System  
208 South LaSalle Street  
Suite 814  
Chicago, IL 60604  
877-564-7529  
[MajorAccountTeam2@wolterskluwer.com](mailto:MajorAccountTeam2@wolterskluwer.com)

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other



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advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

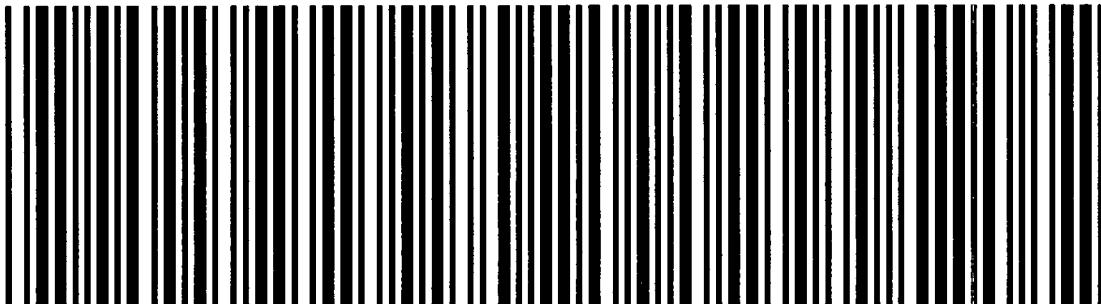


## PROCESS SERVER DELIVERY DETAILS

**Date:** Wed, May 5, 2021

**Server Name:** Sheriff Drop

Entity Served	WALMART INC.
Agent Name	51219236
Case Number	21L15
Jurisdiction	IL



IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
SALINE COUNTY, ILLINOIS

REBECCA BARNARD, )  
Plaintiff, )  
vs. )  
WALMART INC., )  
Defendant. )

F D R E S I G N

CASE №.21-L-15

**SUMMONS**

To each respondent: C T Corporation System  
Registered Agent: Walmart Inc.  
208 South LaSalle Street, Suite 814  
Chicago, IL 60604

You are summoned and required to file an answer in this case, or otherwise file your appearance in the Office of the Clerk of this Court at the Saline County Courthouse, Harrisburg, Illinois, within thirty (30) days after service of this Summons, not counting the day of service. IF YOU FAIL TO DO SO, A JUDGMENT OR DECREE BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF ASKED IN THE PETITION.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider. If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

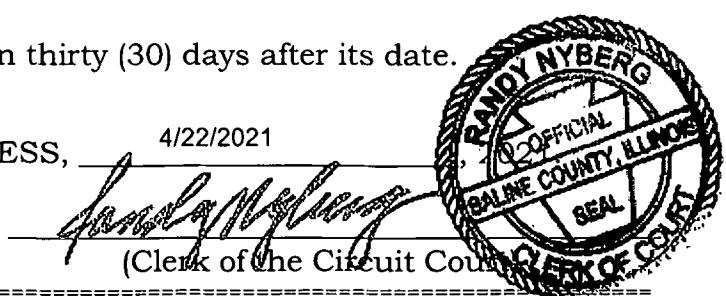
To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, Summons shall be returned so endorsed.

This Summons may not be served later than thirty (30) days after its date.

WITNESS, 4/22/2021

(Seal of Court)



-----  
Kelly R. Phelps of Jelliffe, Doerge & Phelps  
Attorneys for Plaintiff  
Address: 108 East Walnut Street, P. O. Box 406  
Harrisburg, IL 62946  
Telephone: (618) 253-7153  
[krp@jdplawfirm.net](mailto:krp@jdplawfirm.net)

(To be inserted by officer on copy left with defendant or other person)

**SHERIFF'S FEES**

Service and return..... \$ \_\_\_\_\_

Miles \_\_\_\_\_

Total..... \$ \_\_\_\_\_

Sheriff of Cook County

I certify that I served this summons on (defendant/respondent) as follows:

(a) (Individual defendants-personal):

(The officer or other person making service, shall (a) identify as to sex, race and approximate age of the defendant with whom he left the summons, and (b) state the place where (whenever possible in terms of an exact street address) and the date and time of the day when the summons was left with the defendant.)

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(b) (Individual defendants-abode):

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person or his family, of the age of 13 years or upwards, informing that person of the contents of the summons.

(The officer or other person making service, shall (a) identify as to sex, race and approximate age of the person, other than the defendant, with whom he left the summons, and (b) state the place where (whenever possible in terms of exact street address) and the date and time of day when the summons was left with such person.)

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and also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode, as follows:

Name of Defendant

Mailing Address

Date of Mailing

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(c) (Corporation defendant):

By leaving a copy and a copy of the complaint with the registered agent, officer or agent of each defendant corporation, as follows:

Defendant Corporation

Mailing Address

Date of Mailing

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(d) (Other Service):

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Sheriff of Cook County

By: \_\_\_\_\_, Deputy \_\_\_\_\_

 * 0 3 4 8 1 9 3 6 *	DUE DATE 05/21/2021
<b>DOC TYPE:</b> LAW <b>CASE NUMBER:</b> 21L15 <b>DEFENDANT</b> WALMART INC 208 S LASALLE ST CHICAGO, IL 60604 STE 814	<b>SERVICE INF</b> R/A CT CORI
ATTACHED	

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
SALINE COUNTY, ILLINOIS:

REBECCA BARNARD, )  
Plaintiff, )  
vs. )  
WALMART INC., )  
Defendant. )  
CASE №.21-L-15

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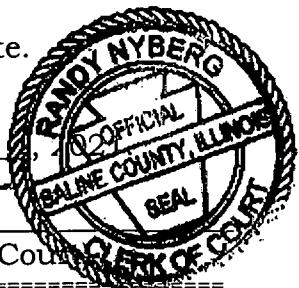
This Summons may not be served later than thirty (30) days after its date.

WITNESS,

4/22/2021

(Seal of Court)

(Clerk of the Circuit Court)



-----  
Kelly R. Phelps of Jelliffe, Doerge & Phelps  
Attorneys for Plaintiff  
Address: 108 East Walnut Street, P. O. Box 406  
Harrisburg, IL 62946  
Telephone: (618) 253-7153  
[krp@jdplawfirm.net](mailto:krp@jdplawfirm.net)

(To be inserted by officer on copy left with defendant or other person)

**SHERIFF'S FEES**

Service and return..... \$ \_\_\_\_\_

Miles \_\_\_\_\_

Total..... \$ \_\_\_\_\_

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(b) (Individual defendants-abode):

By leaving a copy and a copy of the complaint at the usual place of abode of each individual defendant with a person or his family, of the age of 13 years or upwards, informing that person of the contents of the summons.

(The officer or other person making service, shall (a) identify as to sex, race and approximate age of the person, other than the defendant, with whom he left the summons, and (b) state the place where (whenever possible in terms of exact street address) and the date and time of day when the summons was left with such person.)

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Mailing Address

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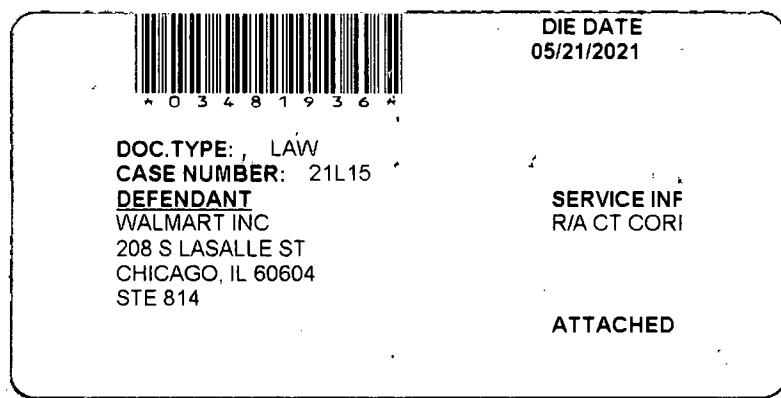
(d) (Other Service):

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Sheriff of Cook County

By: \_\_\_\_\_, Deputy \_\_\_\_\_



IN THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT

SALINE COUNTY, ILLINOIS

REBECCA BARNARD,

)

Plaintiff,

)

vs.

)

Case No. 2021L15

WALMART INC.,

)

Defendant.

)

**COMPLAINT**

Now comes plaintiff, Rebecca Barnard, by and through her attorneys, Jelliffe, Doerge & Phelps, and for her complaint against defendant, Walmart Inc., states as follows:

**Count I**  
**(Negligence)**

1. The incident described herein occurred on December 17, 2020, at the Harrisburg Walmart Supercenter #237, 710 S. Commercial Street, Harrisburg, Saline County, Illinois.
2. At all times relevant herein, defendant is an American multinational retail corporation that, among other things, operates a chain of discount department stores and grocery stores.
3. At all times relevant herein, defendant owned and operated a retail shopping store identified by defendant as Harrisburg Walmart Supercenter #237 (hereinafter "Store #237) and located at 710 S. Commercial Street, Harrisburg, Saline County, Illinois.
4. On December 17, 2020, plaintiff entered Store #237 to shop.

5. At this same time and place, inside Store #237 was a jagged, sharp piece of metal on the bottom of a shelving unit protruding into an aisle where customers would walk.

6. As plaintiff was walking down the aforementioned aisle, her shoe caught this piece metal and caused her to fall to the ground.

7. Plaintiff's fall was proximately caused by the following negligent acts or omissions to act on the part of defendant and/or its employees or agents:

- a) caused this jagged, sharp piece of metal to protrude into said aisle;
- b) allowed this jagged, sharp piece of metal to protrude into said aisle;
- c) failed to repair this jagged, sharp piece of metal protruding into said aisle;
- d) failed to warn customers of this jagged, sharp piece of metal protruding into said aisle.

8. The aforementioned negligence of defendant and/or its employees or agents proximately caused plaintiff to suffer the following injuries and damages:

- a) past, present, and future pain and suffering;
- b) past, present, and future loss of a normal life;
- c) past, present, and future medical expenses;
- d) disfigurement;
- e) the increased risk of future harm resulting from her injuries;
- f) past, present, and future emotional distress;
- g) lost wages/income.

WHEREFORE, plaintiff prays for judgment against the defendant in a reasonable amount in excess of the statutory minimum of \$50,000.00, together with her costs of suit.

JELLIFFE, DOERGE & PHELPS

BY /s/ Kelly R. Phelps

Kelly R. Phelps, ARDC 6230044  
A member of said firm  
108 East Walnut Street  
P. O. Box 406  
Harrisburg, IL 62946  
(618) 253-7153

Attorneys for plaintiff, Rebecca Barnard

**Count II**  
**(Premises Liability)**

1. The incident described herein occurred on December 17, 2020, at the Harrisburg Walmart Supercenter #237, 710 S. Commercial Street, Harrisburg, Saline County, Illinois.
2. At all times relevant herein, defendant is an American multinational retail corporation that, among other things, operates a chain of discount department stores and grocery stores.
3. At all times relevant herein, defendant owned and operated a retail shopping store identified by defendant as Harrisburg Walmart Supercenter #237 (hereinafter "Store #237) and located at 710 S. Commercial Street, Harrisburg, Saline County, Illinois.
4. On December 17, 2020, plaintiff was lawfully at Store #237 in that she was shopping.

5. On said date, there was a condition in Store #237, namely a jagged, sharp piece of metal on the bottom of a shelving unit protruding into an aisle where customers would walk, which presented an unreasonable risk of harm to customers such as plaintiff.

6. As plaintiff was walking down the aforementioned aisle, her shoe caught this piece metal and caused her to fall to the ground.

7. Defendant knew or in the exercise of ordinary care should have known of said condition and the risk.

8. The defendant could reasonably expect that customers such as plaintiff would not discover or realize the danger or would fail to protect themselves against such danger.

9. The defendant by its employees and/or agents were negligent in one or more of the following ways:

- a) allowed this jagged, sharp piece of metal to protrude into said aisle;
- b) failed to repair this jagged, sharp piece of metal protruding into said aisle;
- c) failed to warn customers of this jagged, sharp piece of metal protruding into said aisle.

10. The aforementioned negligence of defendant and/or its employees or agents proximately caused plaintiff to suffer the following injuries and damages:

- a) past, present, and future pain and suffering;
- b) past, present, and future loss of a normal life;
- c) past, present, and future medical expenses;
- d) disfigurement;

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JELLIFFE, DOERGE & PHELPS

BY /s/ Kelly R. Phelps

Kelly R. Phelps, ARDC 6230044  
A member of said firm  
108 East Walnut Street  
P. O. Box 406  
Harrisburg, IL 62946  
(618) 253-7153

Attorneys for plaintiff, Rebecca Barnard

\*\*\*\*\*

STATE OF ILLINOIS )  
                        )  
                        SS.  
COUNTY OF SALINE )

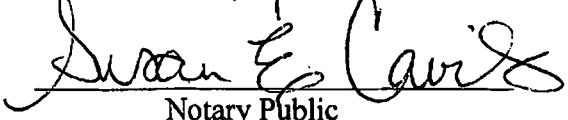
**AFFIDAVIT**

I, Kelly R. Phelps, being first duly sworn, upon oath depose and say that I am an attorney for plaintiff in the foregoing cause. In my professional opinion, the damages in this case might or could exceed Fifty Thousand Dollars (\$50,000.00).

Further affiant saith not.

/s/ Kelly R. Phelps

Subscribed and sworn to before me this  
21<sup>st</sup> day of April, 2021

  
Notary Public

